



KANSAS FARM BUREAU

The Voice of Agriculture

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**Kansas Farm Bureau
POLICY STATEMENT**

House Agriculture and Natural Resources Committee

Re: HB 2073 an act concerning streams, dams and obstructions

February 7, 2013

Submitted by:

Kent Askren

Assistant Director of Natural Resources

Chairperson Schwartz and members of the committee, thank you for the opportunity to testify on House Bill 2073. Kansas Farm Bureau (KFB) has general policy supporting decreased regulatory burdens on agriculture producers and providing exemptions for normal farming activities and projects. The language found in HB 2073 certainly seeks to reduce regulatory burdens.

Stream crossings, whether for agriculture or other purpose, fall within the Kansas Stream Obstructions Act, KSA 82a-301-327, and therefore have a defined use and construction specifications requiring a permit through the Division of Water Resources. Permitting and construction requirements for stream obstructions are in place to protect life and property. In agriculture landscapes, this oversight ensures that altered streamflow is not directed on to neighboring properties which may cause or enhance flooding and erosion. Clearly, a certain amount of oversight when planning and installing stream obstructions is a good thing.

The language in HB 2073 exempts permitting or permissions for the maintenance, repair or replacement of several stream obstruction projects, as long as the activity maintains the stream and streambanks in status quo conditions. KFB can support this type of regulatory relief, if the original project has cleared the initial review and State permitting requirements. Without that initial oversight, projects could put KFB members or property at risk.

It might be wise to add language that would require permitting if a project does indeed result in damage other properties. The Division of Water Resources should have the authority to investigate to determine if any stream obstruction harms an adjacent landowner and take appropriate legal action.

KFB appreciates the opportunity to provide testimony, I would be happy to answer questions at the appropriate time.

Kansas Farm Bureau represents grassroots agriculture. Established in 1919, advocacy organization supports farm families who earn their living in a cha

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Resources Committee

Date 2-07-2013

Attachment # 8